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G.R.S. IX—5]

Previous references. 1922. File No. 32-22

(Ref) Serial Nos. 3910

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for July 23

SUBJECT

Forwards certain observations on the recommendations of the Committee.

File.

R 17/6

30-7-23

Printed on the Multigraph.

G. R. S. III-2]

General and Revenue Secretariat. | Rev | File No. 32 of 19 22

Serial No.	
	Letter dated 15.6.23 from
8/3	Sri B. Sreekakulam, Secretary, Jeevana Samaj forwards certain observations on the recommendations of the Committee.
8/10	Letter No 27-29 dated 25.6.23 B. Sreekakulam Esqr, Secretary, Jeevana Samaj acknowledges the receipt of the letter noted in 8/3.
	Noted. The observations of the gentleman have been tabulated under the respective recommendations separately.
	Put up 3.7.23 MS 26/7
	Let me have a copy of the tabulated summary, please. RR 4/7.
	Summary is put up with remarks [Please see next page] No further action needed. RR 6/7
	OB 417/23. MS 7/7
	Ch. Secy. Seen) MS RR 7/7.
	Left with me. RR 9/7.

Not in the file at present a common draft is in another file

Put up 3.7.23

NOTE—Contn. sheet.

Representations submitted by Mr.B.Subba Rao, Seshadri Iram.

Representation	Remarks	Orders(where necessary)
(1) Suggests that the Rep.Assembly may be given a place in the Constitution by statute rather than by Royal proclamation.	It has been decided to issue a proclamation on the subject	
(2) Suggests that the R.A. should have no connection with the legislative measures.	It has been decided to obtain the opinion of the R.A. ordinarily on all important matters.	
(3) Suggests that there need be no limit on the number of interpellations	A limit has been fixed (90 for the d.c. and 12 for the R.A.)	
(4) Suggests that the power of the purse be transferred from the Legislative Council to the Representative Assembly.	The present decision is that the budget should be voted upon at the Legislative Council and discussed generally at the R.A.	
(5) Prefers that if suitable men to represent minorities are not available that they may be nominated by Govt.	There is provision for nomination but it is intended that the representation of minorities as far as possible be through recognised associations.	
(6) Would not fix the length and frequency of the R.A.sessions.	It has been provisionally decided that normally there should be two sessions, Dasara and budget, and a special session whenever necessary. No change is called for.	
(7) Would like to vest the Assembly with powers to decide on all projects costing over a certain amount, on the formation of new departments, on the raising of public loans, on the levy of new taxes etc.,	No powers are vested in the Assembly but it will be consulted in all important matters.	
(8) Is not in favour of a standing committee of the Representative Assembly.	Government have decided against the standing committee.	
(9) Suggests that women should be eligible for membership.	The point is under the consideration of Government.	
(10) That the Legislative Council need not have any control over finances.	Please see remarks in connection with suggestion No.4.	
(11) Would not have any standing committees *of the Legis.Council and the Representative Assembly.*	The point is not yet decided.	
(12) Miscellaneous: Is not in favour of *the appoint of a non-official Member of Council.*	No decision is reached yet on the point.	

RJ 6/7

DIARY No. 771

1922 – 1923
Section. Rep
File No. 32-22
Serial No. 5

42631

15 JUN 1923

The Hon'ble Mr. (3)
Shankaria Menon
Bangalore
15th June 1923

To The Chief Secretary
to the Govt of H. H. the Maha Raja
of Mysore
Bangalore

Sir,

I beg leave to avail myself of the Govt. order calling for public opinion on Constitutional Development Committee's Report and to submit, for what it is worth, the enclosed note of some cursory observations on it. —

I regret I have not the facilities to have the note typed, but this I hope is not quite necessary.

I have
the
honour to be
Sir
Your most obedient
Servant
K. Shankaria Menon

Some Observations on Constitutional Developments in Mysore.

In consonance with the times and governments abroad our own government of Mysore have decided to take the people more into their confidence in the administration of the State and make the government more "popular". An outline of the government's contemplated policy in the matter has been sketched by the Dewan and worked up by a committee of gentlemen experienced in State and civic craft under the chairmanship of an Eminent Scholar and if is in the future of things. That before taking final action on the Committee's Report, the government should also have the opinion on it of the people who are here after to share the burdens and responsibi-

-ties of the Administration lately
with the members of the Govern-
-ment.

2. The Committee's Report
is prefaced by a learned dis-
-quisition on Constitutional
polity. It is however necessary
to bear in mind —

(1) that to be effective and
beneficial to the subjects and
government, governments
must really govern —

and (2) that under any form
of government theoretically
excellent Constitutional prin-
ciples fail to fit in with the
needs of the hour in practical
Executive action. Time, place
and circumstances must be
respected more than Con-
-stitutional theories

3. After all, whatever
the form of government, the
happiness of the subjects

which

which is the end of all government, so tersely quoted by His Highness the Maha Raja Chamarajendra Wadeyar of revered memory, is best realized by the ability and individuality but the zeal sympathy of a strong and powerful governor who should not be let himself be hindered by committees and conferences. At any rate this seems a lesson from the past and though the times have changed a deal, yet the lesson ought not to be ignored. And even the cautious Montague Chelmsford Reforms are still in experiment and one may be permitted to wait and see the results.

The Executive Council of the State

4. The question of the admission of non Official gentlemen

into the Executive Council is
opened & incidentally both
in the Dewan's introductory
speech and the Committee's
Report. Whatever may be
the conditions in British India
the time for such a critical
epoch or development does
not seem to be ripe. Officers
with long experience in various
branches of the administration
are confronted with problems
which taxes their energies
and intellectual powers to
deal with a situation very
hard tactfully and it seems
to be too much of an experi-
ment to expect an honorable
& successful part practical
principles and throw in his
weight with the government
in preference to popular
prejudices. It is seems ab-
solutely Essential to the best
interests of the State that

the

Dewan but Councillors must be men well versed and having practical Experience in State Craft and local civic conditions and it is a beneficial resolve to defer this Question Sine die.

The Representative Houses.

5. There are now two Houses in Mysore, the Representative Assembly and the Legislative Council. In the Dewan's outline of Developments certain other bodies are referred to also — viz the District Boards, Standing Advisory Committees and the Economic Conference the functions of which are wholly Executive. And Even the functions of the two Houses seem as at present constituted seem to overlap. In the Government of a State like Mysore a large number of popular institutions may be found inconvenient

had been Embarrassing and involves considerable Expenditure of the time of the Government Nominated Officers and increases the Expenditure of public funds in the maintenance of the institutions, travelling allowances of members &c

The existing two institutions seem simple for all purposes and may be expected to possess all the wisdom that is supposed to lie in the Multitude of Counsel.

The Representative Assembly

6. The important question submitted to the Committee is of a "definite place" for this Institution. The Assembly is now 42 years old and its work as a Valuable Accessory to Government has received public recognition both in and outside the Colony. And though its powers are limited to bare discussions

its legislative functions. The Assembly must be deemed to have always continued on its former "definite place". It were well if some indication had been given by the Drafters as to the scope of the definiteness contemplated by Government. But Even the Committee are not able to suggest anything more than a Royal Proclamation, which no doubt adds to the dignity and prestige of the Assembly, but cannot achieve political advancement a single step — Even if the Proclamation is sanctified by pictorial representations of the presiding deities and by Excerpts from Ancient Vedic Legislative and Edicts. "Installation Ceremonies never yet made a Ruler Virtuous" (Lord Curzon).

7. If the Institution is to have a definite place in the Constitution it seems necessary to place it on a Statutory basis

with certain well defined powers due to its age and past good work, so the institution becomes more than a mere Consultative or a petitioning body. What such powers should be is for the Darbar to prescribe with due regard to his responsibilities as the responsible Minister to His Highness the Maha Raja, but generally speaking and by way of an Example it may be stated that the Assembly may be entrusted with powers to decide on all projects costing over a certain financial limit, Organization of new Departments, Public Loans, Financing of Essential Costly projects, Levy of new Taxes &c. If the Assembly proves obstinate to the Darbar's ideas, the tact and ability of the Darbar should bring the Assembly round to his views.

8. Reference has been made above to the desirability of defining & delimiting powers to this and the Legislative Assembly, so the functions do not overlap. The Darbar's outline refers to the Consultation of the Representative Assembly in

in Legislative matters but the discussion
of the Budget in Legislative Council
the need for such duplication
is not clear and on the other hand
it is true because delay and waste
the time of Officers presiding or present
at the meetings. Both institutions
are popular with a large Elective
Element and probably some of the
Members of the one are Members
of the other also and the decisions of
each in its sphere of work may
perhaps ought to be expected (to be)
in accordance with the "Vox populi".
The Budget is Eminently a Concern
of the General Administration and
therefore of the Representative Assembly
and Can have nothing to do with
the Legislative Council whose
functions are defined in the
preamble to Mal. Regulation
as for "making laws & regulations".
The Financial Budget does not
need itself by laws & Regulations
and the subsequent addition to the
Regulation providing for the
discussion of the Budget in the
Legislative Council seems to be

a Copy of the British Indian Legislature
There the Legislative Council is the
only popular Assembly. The Budget
may safely be Eliminated from the
Legislative Council and similarly
Legislative bills and measures may
be kept outside the Representative
Assembly. All legislative bills,
Except Emergency measures, are
published for public Criticism
and if the Representative Assembly
desires to Voice its Views it is always
open to it to do so, but to make
Consultation absolutely Essential
seems unnecessary.

9. In fine, if a definite
place for the Representative Assembly
is to be decided conceded a Statutory
basis with Certain definite powers
with be a real political advance
to start with.

Interpellations

10. No limit need be placed to the number
of their. Certain subjects being proscribed
the interpellations should be closely
scrutinised and the discarded ones
rejected with a Convincing Explanatory
Communiqué.

Duration of the Assembly

11. Any limit as to the time and

and the number of subjects is to be misunderstood. With a reservation of certain subjects, the Elimination of local measures and grievances within the scope and competence of local officers and of vague and fanciful requests the time required for the remainder ought not to be prejudged.

Women

12. The Age of the Purda has gone or is going fast and such as care to come out might be safely conceded ~~with~~ Equal rights with Men. If people have confidence in women, why should the government be not liberal & generous to women. Let them fall in who dare and can. –

Minorities

13. Ought to be represented – The time preceding Election and nomination ought to be recorded if right men are forthcoming. After all real Communal grievances except in matters of patronage are few – What is a grievance of a Community is also a grievance of other Communities and a broad minded administrator does and ought to anticipate and

16 12 15

Lands Rao to act fully to the best interests of the party. —

All said & done it does bear repetition that the Powers under a beneficent Sovereign such as our Ruler is is the mainstay of the State. "L'Etat C'Est moi" is by no means a bad motto for an Administrator

Yours sincerely
K. Shankaran
Shankaran
Tanjore
15. 6. 23

Sir William Hunter (I think) characterised Sir K. Shankaran as a "beneficent Autocrat"

P.S. I feel tempted to add a somewhat significant fact as to the progress of Political life here — and that is that when an occasion arises for a political meeting, the important function of presiding over or opening it is invariably resorted to to guide us has our Esteemed Councillor Mr Srinivasa Sastri lately regretfully remarked in his speech on the last Annual College Speech day that in important cases before our Courts it is only the practice for litigants to retain to Madras Lawyers.

K.S.

(16

I. Representative Assembly

1. Place in the Constitution: Instead of a Royal proclamation, he prefers a Statutory re-Cognition.

2. Legislative Measures: Prefers Complete transfer of the function to the Legislative Council — a truly Law-making body.

3. Interpellations :— Not in favour of limiting the number.

8. Discussion of the budget: Is in favour of the Assembly taking the place of the Legislative Council as regards the sanction of Budget grants.

11. Minorities: Prefers leaving the discretion to the Government.

14. Length and frequency of the Sessions: Not in favour of fixing any definite number.

Is in favour of vesting the Assembly with powers to decide on all projects costing over a certain financial limit organisation of new departments, Public Loans, financing of essential costly projects, Levy of new taxes etc.

17. Standing Committees: Not in favour—

18

17

II. The Legislative Council.

2 IV-2. Disqualification to Candidates. — Is in favour of intending equal rights to Women Candidates.

6 (1-7) Voting on Budget Re-appropriations and Supplementary grants. — Is in favour of transferring the whole function to the R-A.

III Standing Committees. — Not in favour.

Miscellaneous.
Appointment of a Non-official Councillor — Not in favour.

(Seguen tre pagine)